

REMARKS

Claims 1-28 were pending in the application. Claims 7-9 were previously withdrawn. By this paper, claims 1 and 25 have been amended and claim 26 has been canceled. No claims have been added. Therefore, claims 1-25 and 27-28 are now pending in the application. Reconsideration of the application is requested for at least the reasons that follow.

Allowable Subject Matter

The indication that claims 19-21 are allowed is greatly appreciated.

35 U.S.C. 112 Rejections

Claim 26 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 26 has been canceled and, therefore, the rejection is now moot.

35 U.S.C. 102 Rejections

Claims 1-4, 11-14 and 23-25 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,126,195 (“Lutz”). Independent claims 1 and 25 have been amended. The rejection of claims 1 and 25 should be withdrawn because Lutz fails to disclose each and every limitation in the claims. For example, Lutz does not disclose, teach or suggest “wherein the module is configured so that the pivoting of the at least one portion of the boundary wall is caused by a force applied by the deploying gas bag directly contacting a portion of the boundary wall,” as called for in claims 1 and 25.

In contrast, the side walls 21 of Lutz pivot outward due to the movement of the second cup shaped housing part 15, not by the gas bag “directly contacting” the side walls 21. *See* Lutz at Figs. 3 and 4. The movement of the housing 15 occurs due to the “high internal pressure [that] is produced in the generator by means of the produced gas.” Lutz at col. 2, lines 44-47. The housing parts 13, 15 push apart, causing the convex extensions 19, “which lies against the inner face of the side walls 21,” to pivot the side walls 21 out. Lutz at col. 3, lines 37-58. The convex extensions 19 are part of the generator 9 and are not part of a

“deploying gas bag” as called for in claims 1 and 25. Thus, the rejection should be withdrawn. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1-6, 10-14, 18 and 22-25 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,364,345 (“Lang”). The rejection of claims 1 and 25 should be withdrawn because Lang fails to disclose each and every limitation in the claims. For example, Lang does not disclose, teach or suggest “wherein the module is configured so that the pivoting of the at least one portion of the boundary wall is caused by a force applied by the deploying gas bag directly contacting a portion of the boundary wall,” as called for in claims 1 and 25.

Lang discloses a gas bag located inside an upper part 14 of the housing 10. The upper part is closed by a cover 16, 18. The gas bag “provides a thrust action on the two components 16, 18 of the cover,” which then swivel. Lang at col. 3, lines 50-51. Furthermore, the Office Action states that “the cover is opened by the deploying air bag, and the cover causes the walls to pivot.” Office Action at p. 4, lines 10-11. Thus, Lang clearly does not disclose that the pivoting of a portion of the boundary wall being caused by the gas bag “directly contacting a portion of the boundary wall,” as called for in claims 1 and 25.

Furthermore, Lang does not disclose, teach or suggest that the folded gas bag “extends at least partially between the housing of the gas generator and the at least one portion of the boundary wall,” as called for in claims 1 and 25. Lang discloses a gas bag module with a housing 10 separated into a lower part 12 and an upper part 14. The lower part 12 houses the gas generator and the upper part 14 houses a gas bag. *See Lang at col. 2, lines 17-23.* Therefore, the gas bag is separate from the generator and so the folded gas bag could not extend “at least partially between the housing of the gas generator and the at least one portion of the boundary wall.” Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

35 U.S.C. 103 Rejections

Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lutz in view of U.S. Patent No. 4,903,986 (“Cok”).

Claims 15-17 depend from claim 1 and are, therefore, allowable for at least the reason set forth above with regard to claim 1. As discussed above, the side walls 21 of Lutz pivot outward due to the movement of the second cup shaped housing part 15, not by the “gas bag directly contacting a portion of the boundary wall.” Cok fails to cure the deficiencies of Lutz. Therefore, reconsideration and withdrawal of the rejection of claims 15-17 is respectfully requested.

Claim 1-4, 6, 11-13, 23- 25 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 19960251 (“Aulbach”) in view of Lutz.

The rejection should be withdrawn because the references, taken together or separately, fail to disclose each and every limitation in the claims. For example, Aulbach does not disclose, teach or suggest an airbag module “configured so that the pivoting of the at least one portion of the boundary wall is caused by a force applied by the deploying gas bag directly contacting a portion of the boundary wall,” as called for in claims 1 and 25. The Office Action states that Aulbach discloses that “the pivoting of the at least one portion of the boundary wall is caused by a force applied by the deploying airbag (see Figure 2b).” Office Action at p. 6, lines 4-5. However, the airbag 14 of Aulbach merely contacts the cover portion of the airbag module, which in turn causes the side walls to pivot. *See Aulbach at Fig. 2(b).* Lutz fails to cure the deficiencies of Aulbach. As stated above, the side walls 21 of Lutz pivot outward due to the movement of the second cup shaped housing part 15, not by the gas bag “directly contacting” the side walls 21. *See Lutz at Figs. 3 and 4.* Therefore, reconsideration and withdrawal of the rejection of claims 15-17 is respectfully requested.

Claims 2-24 and 27-28 depend from either claim 1 or claim 25 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

Conclusion

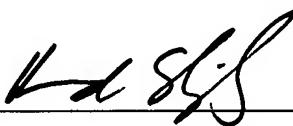
Favorable reconsideration of the application, as amended, is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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